



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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NATASHA JOHNSON
Assistant Commissioner

The following Decision is distributed for your information. This Decision has been made in consideration of the specific facts of this case. This Decision is not to be interpreted as establishing any new mandatory policy or procedure otherwise officially promulgated.

STATE OF NEW JERSEY
DEPARTMENT OF HUMAN SERVICES

FINAL DECISION

OAL DKT. NO. HPW **07701-22 D.W.**

AGENCY DKT. NO. **C077544011 (MERCER COUNTY BOARD OF SOC. SVCS..)**

Petitioner appeals from the Respondent Agency's termination of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF"), and Emergency Assistance ("EA"), benefits. The Agency terminated Petitioner's WFNJ/TANF benefits, contending that he had exhausted his 60-month cumulative lifetime limit of WFNJ cash benefits, and did not qualify for an extension of, or exemption from, said lifetime limit, and terminated his EA benefits because he was neither a WFNJ, nor Supplemental Security Income ("SSI"), benefits recipient. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On October 12, 2022, the Honorable Joan M. Burke, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents.

On October 21, 2022, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the ALJ found, and the record substantiates, that at the time Petitioner had applied, and had been approved for, WFNJ/TANF benefits, he had received a total of 105 months of WFNJ/GA benefits, 22 months of which were provided under the Supportive Assistance to Individuals and Families ("SAIF") program. See Initial Decision at 2, 4; see also Exhibits R-1, R-2, R-3, R-4, R-8, and N.J.A.C. 10:90-2.20. Of note, Petitioner had therefore exhausted his lifetime limit of WFNJ cash benefits, was thus ineligible for WFNJ/TANF benefits at the time of the Agency's approval for said benefits, and as a result, received WFNJ/TANF benefits to which he was not entitled. See Initial Decision at 2, 4, 6; see also Exhibits R-4, R-7, R-8, and N.J.A.C. 10:90-1.1(d), -2.3(a). Additionally, the record indicates that Petitioner does not have a current MED-1 form indicating a 12-month disability, and that he does not have a SSI benefits application pending review or appeal, and as such, the ALJ found that Petitioner is not eligible for an extension of, or exemption from, the WFNJ benefits time limit. See Initial Decision at 2, 5-6; see also N.J.A.C. 10:90-2.4(a)(3), (4), (6), -2.5(a). Based on the foregoing, the ALJ concluded that the Agency's termination of Petitioner's WFNJ/TANF benefits was proper and must stand. See Initial Decision at 6; see also Exhibit R-12. I agree. The ALJ also opined that Petitioner is ineligible for WFNJ/GA benefits, and that any denial by the Agency of said benefits to Petitioner is also proper. See Initial Decision at 6. I also agree. Further, the ALJ concluded that because Petitioner is not a WFNJ, or SSI, benefits recipient, he is ineligible for EA benefits. *Ibid.*; see also N.J.A.C. 10:90-6.2(a). Therefore, the ALJ



concluded that the Agency's termination of Petitioner's EA benefits was proper and must stand. See Initial Decision at 6; see also Exhibit R-13. Again, I agree.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development, Department of Human Services, I have considered the ALJ's Initial Decision, and following an independent review of the record, I concur with the ALJ's final conclusion in this matter and hereby ADOPT the Findings of Fact and Conclusion of Law.

By way of comment, the Agency shall refer Petitioner to any and all agencies and organizations that may be able to assist with his current needs, including Social Services for the Homeless.

Accordingly, the Initial Decision is hereby ADOPTED, and the Agency's determination is AFFIRMED.

Officially approved final version. November 30, 2022

Natasha Johnson
Assistant Commissioner

